



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Litzow et al.

Attorney Docket No. XPWZ-1-1006

Filed: November 15, 2000

Application No.: 09/714,853

Title: SYSTEM AND METHOD FOR DYNAMIC PRICE SETTING AND  
FACILITATION OF COMMERCIAL TRANSACTIONS

**COMBINED DECLARATION AND POWER OF ATTORNEY  
IN PATENT APPLICATION**

As the inventors of the invention disclosed in the patent application entitled SYSTEM AND METHOD FOR DYNAMIC PRICE SETTING AND FACILITATION OF COMMERCIAL TRANSACTIONS, we each hereby declare as follows:

Our residences, post office addresses and citizenship are:

Steve Litzow  
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I believe that we are the original, first and sole inventors of the subject matter that is claimed and for which patent is sought on the invention entitled "SYSTEM AND METHOD FOR DYNAMIC PRICE SETTING AND FACILITATION OF COMMERCIAL TRANSACTIONS," the specification of which is attached to this declaration.

I have reviewed and understand the contents of the SYSTEM FOR DYNAMICALLY DERIVING OPTIMAL TRANSACTION TERMS FROM AGGREGATED CONSUMER TRANSACTION PROFILE DATA (2) patent application, including the claims.

I acknowledge the duty to disclose information, which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

**BLACK LOWE & GRAHAM<sup>PLLC</sup>**

I hereby claim the benefit under 35 U.S.C. 119(e) of the following United States provisional application(s): 60/180,363 filed February 4, 2000 and 60/203,183 filed May 8, 2000.

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States of PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

I hereby appoint the following attorneys and agents to prosecute this application and to transact all related business in the Patent and Trademark Office or the Courts: Richard T. Black, Washington State Bar No. 20,899 and PTO Reg. No. 40,514; David A. Lowe, Washington State Bar No. 24,453 and PTO Reg. No. 39,281; Lawrence D. Graham, Washington State Bar No. 25,402 and PTO Reg. No. 40,001 and Michael S. Smith PTO Reg. No. 39,563.

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I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

1/14/01  
Date

  
Steve Litzow

1/16/01  
Date

  
Rebel Rice

1/19/2001  
Date

  
William Addington